

Franklin County Commissioners' Court  
Commissioner Court Minutes  
Regular Session  
August 12, 2013

The Franklin County Commissioners' Court met in Regular Session August 12, 2013 at 9:00 AM at the District Courtroom at the Franklin County Courthouse Annex located at 208 Highway 37, Mount Vernon, Texas

Members present: Paul Lovier, County Judge  
Danny Chitsey, Commissioner, Precinct 1  
Donnie Surratt, Commissioner, Precinct 2  
Deryl Carr, Commissioner, Precinct 3  
Sam Young, Commissioner, Precinct 4  
Gene Stump, County Attorney  
Betty Sue Allen, County Treasurer  
Betty Crane, County Clerk

VISITORS: Steve Capps, Elizabeth Welborn, Patty Young, Genea Burnaman, Leenell Roach, Sandra Dunn, Gerry Allen, Sue Ann Harper, Jim Alford, Bryan Giguere, Ellen Jagers, Margaret Sears, Tina Phillips, Robert Zinn, Lisa Lawrence, and Lillie Bush-Reves

Judge Lovier called the meeting to order and Commissioner Young offered prayer.

**APPROVE MINUTES FROM THE JULY 22, 2013 REGULAR SESSION, JULY 22, 2013 WORKSHOP SESSION, JULY 29, 2013 BUDGET WORKSHOP SESSION AND THE AUGUST 7, 2013 BUDGET WORKSHOP SESSION- COUNTY CLERK** – Commissioner

Young made a motion to approve the minutes from the July 22, 2013 regular session, July 22, 2013 workshop session, July 29, 2013 budget workshop session and the August 7, 2013 budget workshop session. Commissioner Surratt seconded the motion and the motion carried unanimously.

**AUDIT CLAIMS AGAINST THE COUNTY AND AUTHORIZE THEIR PAYMENT –**

**TREASURER** - Commissioner Carr reported the Ergon invoice was not his. The invoice from Ergon was for Precinct 4. Treasurer Betty Sue Allen noted the change to be made. Commissioner Surratt made a motion to approve all the claims against the county after changing the Ergon invoice from Precinct 3 to Precinct 4 and Commissioner Chitsey seconded the motion. Motion carried unanimously. See Vol. 1U Page \_\_\_\_\_

**MONTHLY REPORTS** - County Treasurer Betty Sue Allen presented the July monthly reports. Commissioner Young made a motion to approve the July monthly reports as presented and Commissioner Carr seconded the motion. Motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING FUNDING OPTIONS FOR FRANKLIN COUNTY DRUG TESTING POLICY – LEENELL ROACH, ALLIED COMPLIANT SERVICES -**

LeeNell Roach from Allied Complaint Services gave an overview of drug testing policies for the county. She reported Allied Compliance Services can do drug and alcohol testing for pre-employment, random, reasonable suspicion, post accident, return to duty and follow-up testing. She reported they are certified to perform the Drug and Alcohol Testing Collection Procedures to meet the Department of Transportation Code of Federal Regulations, Part 40. She reported an annual fee of \$295.00 for employees who have CDL. These funds are to manage the selection of who would be drug tested and keep records on file. The annual fee to add non-DOT employees is \$200 and would require a separate policy for employees who do not have CDL but drive a county vehicle. There is a fee charged for each test done ranging from \$32 to \$52 depending on the type of test. See Volume 1U page \_\_\_\_\_

**PRESENT OPTIONS FOR SELF INSURED HEALTH INSURANCE PROGRAMS – STEVE CAPPS, CAPPS INSURANCE**

– Steve Capps from Capps Insurance presented information about self insured and partially self insured health insurance. He reported Franklin County did not have enough full time employees to get good benefits and the savings would be much smaller. He encouraged the county to wait a year and see what self insured health insurance policies would be like then since Affordable Health Care will be in effect.

**CONSIDER AND TAKE ACTION ON APPROVING IMPLEMENTING BURN BAN FOR FRANKLIN COUNTY AFTER REVIEWING THE TEXAS FOREST SERVICE RATINGS – COUNTY JUDGE**

- Judge Lovier reported the Texas Forest Service ratings for Franklin County was between the 600 to 700 range. Commissioner Carr made a motion to approve implementing a burn ban for Franklin County and Commissioner Young seconded the motion. Motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING INCREASE IN THE COUNTY AND DISTRICT CLERK ARCHIVE FUND AND INCREASE IN THE COUNTY CLERK RECORDS MANAGEMENT AND PRESERVATION FEE– COUNTY AND DISTRICT CLERK**

– County Clerk Betty Crane and District Clerk Ellen Jagers reported HB 1513 will allow them to increase the county clerk's archive fund, county clerk's records management and preservation fee and the district clerk's technology fee (aka archive fee) \$5.00 each. They reported the fee increases would take effect January 1, 2014. Commissioner Surratt made a motion to approve the \$5 increase in the county archive fund, records management and preservation fee and the district clerk technology fee. Commissioner Chitsey seconded the motion and the motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING SECURITY ALARM PROPOSAL FOR LIBRARY AND EXTENSION OFFICE – GERRY ALLEN**

– Gerry Allen presented a security alarm proposal from C and R Services for the Franklin County Library and the Ag Extension Office. Commissioner Surratt made a motion to approve the security alarm proposal from C and R Services in the amount of \$2,217.75 for the Franklin County Library and the Ag Extension Office with the funds to come from Courthouse Security. Commissioner Carr seconded the motion and the motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING FEC'S REQUEST TO CONSTRUCT ELECTRICAL POWER DISTRIBUTION FACILITIES ACROSS CR NW 1081 COUNTY JUDGE**

– Commissioner Surratt made a motion to approve Farmers Electric Cooperative request to construct electrical power distribution facilities across CR NW 1081 and Commissioner Young seconded the motion. Motion carried unanimously. See Volume 1U Page \_\_\_\_\_.

**COURTHOUSE RESTORATION** – Judge Lovier reported progress is moving along on the courthouse. The mock up room has been completed and accepted but will have to get approval from THC on another room and then continue with the rest of the building. THC did not like the way the walls were plastered. They were too perfect and will need to leave a crack between the new and the old plaster in future rooms.

**CONSIDER AND TAKE ACTION ON APPROVING GARRY NELSON DONATING UP TO 40 HOURS SICK LEAVE TO JIMMY ENGLISH - COMMISSIONER PCT 1** - Commissioner Chitsey reported Jimmy English was out of vacation and sick time and Garry Nelson wanted to give him 40 hours of his sick time. Commissioner Chitsey made a motion to approve Garry Nelson giving Jimmy English up to 40 hours sick time and Commissioner Surratt seconded the motion. Motion carried unanimously.

**CONSIDER AND TAKE ACTION ON APPROVING DEPUTATION REFLECTING NAME CHANGE OF JESSICA WHITELEY TO JESSICA GUTHRIE – COUNTY CLERK** – County Clerk Betty Crane reported Jessica Whitely had recently gotten married and needed to change her name to her married name. Commissioner Young made a motion to approve the deputation of Jessica Guthrie and Commissioner Surratt seconded the motion. Motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON DETERMINING IF EMPLOYEE SALARY DELIBERATIONS WILL BE HELD IN EXECUTIVE SESSION – TREASURER**  
No action taken.

**CONSIDER AND TAKE ACTION ON APPROVING AUTHORIZATION FOR COUNTY TREASURER TO REVIEW OPTIONS AND ADVERTISE FOR BIDS ON COUNTY EMPLOYEE HEALTH INSURANCE – TREASURER** – Commissioner Young made a motion to approve authorizing the county treasurer to review options and advertise for bids on the county employee health insurance and Commissioner Surratt seconded the motion. Motion carried 4 to 1 with Commissioner Carr voting against the motion.

**CONSIDER AND TAKE ACTION ON APPROVING FINANCING FROM GUARANTY BOND BANK AT 1.7% INTEREST FOR SEVEN YEARS UNDER A LIMITED TAX NOTE AND AUTHORIZE THE COUNTY AUDITOR TO WORK WITH GUARANTY BOND BANK ON THE LOAN PROCESS AND PAPERWORK – AUDITOR**- County Auditor Tina Phillips handed out two amortization schedules for the commissioners to consider. The schedules were to make quarterly fixed principal payments and quarterly accrued interest payments and the second one was to make annual payments of principal and interest. She recommended making quarterly payments of fixed principal and accrued interest. She reported the county would save \$3,000 making quarterly payments. Commissioner Young made a motion to approve financing \$400,000.00 from Guaranty Bond Bank at 1.7% interest rate for seven years under a Limited Tax Note and authorize the County Auditor to work with Guaranty Bond Bank on the loan process and paperwork and Commissioner Chitsey seconded the motion. Motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING AMENDMENTS TO PROPOSED 2014 BUDGET FILED WITH THE COUNTY CLERK ON JULY 31, 2013 – AUDITOR**  
Commissioner Carr made a motion to approve the amendments as presented to the proposed 2014 budget filed with the county clerk on July 31, 2013 and Commissioner Surratt seconded the motion. Motion carried unanimously. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING PROPOSED TAX RATE INCREASE, TAKE RECORD VOTE AND SCHEDULE PUBLIC HEARINGS – COUNTY JUDGE –** The court reviewed the level of funding required to fund the FY 2014 budget and determined the level of the proposed tax rates for the FY 2014 budget:

General Fund 0.289238	Road and Bridge Special 0.022442
Lateral R&B 0.125739	Interest and Sinking 0.011069
<b>Total Tax Levy – 0.448488</b>	

2014 Total Tax Levy 0.448488  
2014 Effective Tax Rate 0.436514  
**Increase over Effective Rate 0.011974**

Commissioner Carr made the motion to approve the proposed tax rate of 0.448488 with the increase over Effective Rate being 0.011974 and Commissioner Surratt seconded the motion. Motion carried unanimously. Public hearings were schedule for August 26, 2013 at 10:00 AM and September 9, 2013 at 10:00 AM. See Volume 1U Page \_\_\_\_\_

**CONSIDER AND TAKE ACTION ON APPROVING PROPOSED \$1.00 SALARY INCREASE FOR COLBY KEENER – SHERIFF –** Commissioner Chitsey made a motion to approve \$1.00 per hour salary increase for Colby Keener and Commissioner Surratt seconded the motion. Motion carried unanimously.

**CONSIDER AND TAKE ACTION ON APPROVING PROPOSED \$1.50 SALARY INCREASE FOR CARRIE COOPER – TREASURER-** Commissioner Young made a motion to approve \$1.50 per hour salary increase for Carrie Cooper and Commissioner Surratt seconded the motion. Motion carried unanimously.

**CONSIDER AND TAKE ACTION ON APPROVING PROPOSED \$1.00 SALARY INCREASE FOR PEARIS ABERNATHY – PRECINCT 2 -** Commissioner Surratt made a motion to approve \$1.00 per hour salary increase for Pearis Abernathy and Commissioner Young seconded the motion. Motion carried unanimously.

**DISCUSSION ITEMS:** County Attorney Gene Stump updated the commissioners about the Fuel Man Card. He reported the fee is not charge by transaction. The commissioners questioned when a company bids on fuel and the bid says “a nickel over the cost” how do they know what their cost is?

Commissioner Surratt made a motion to adjourn the meeting and Commissioner Young seconded the motion. Motion carried.

I, Betty Crane, County Clerk certify that this is an accurate accounting of the proceedings of Commissioner’s Court Regular meeting on August 12, 2013.

Witnessed and recorded this 12<sup>th</sup> day of August, 2013.

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Betty Crane, County Clerk